

SENATE BILL 3824

By Ketron

AN ACT to amend Tennessee Code Annotated, Title 57,  
relative to alcoholic beverages.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-3-301(e)(1), is amended by inserting at the beginning of the subdivision, the following sentence: "Contracting between manufacturers and importers of wine in this state, and wholesalers shall be governed exclusively by subsections (h) and (i) below."

SECTION 2. Tennessee Code Annotated, Section 57-3-301, is amended by adding the following new subsections:

(h) Manufacturers and importers of wine in this state shall contract with Tennessee wholesalers of their choice to sell their brands in this state. The contracts shall be governed by general contract law enforceable by the courts. The manufacturers and importers of wine shall file with the department of revenue the following:

(1) Copies of all written contracts or renewal agreements with Tennessee wholesalers making sales of brands of wine distributed in this state by such manufacturer and importer;

(2) Any report or other forms required by the commissioner of revenue;  
and

(3) A copy of the label from each brand of wine distributed in this state and copies of the appropriate TTB forms of the Alcohol & Tobacco Tax & Trade bureau. Copies of the labels or forms need not be filed each year but shall be filed upon initial registration of such brand and at any time any change is made in such label or an additional filing is made.

(i) If any manufacturer or importer of wine fails to register or registers improperly any brand, the department of revenue shall notify the manufacturer or importer to cease distribution in this state until such brand(s) is registered properly and also shall notify the alcoholic beverage commission to suspend any permit issued to any such manufacturer or importer pursuant to the provisions of § 57-3-601m et seq., until such brand is registered properly. The following goods are contraband and shall be seized and sold by the department of revenue pursuant to the provisions of §§ 12-2-201 through 12-2-209 with applicable brand registration tax added to the price of any such goods sold:

(1) Any products located in this state of any manufacturer or importer of wine who fails to register or registers improperly any brand(s) that are not disposed of within thirty (30) days of the date of notification as provided above;

(2) Any products of any manufacturer or importer of wine who fails to register or registers improperly any brand(s) that are shipped into this state after the date of notification as provided above.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.